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SUMMARY RECORD OF THE 3rd MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 1 February 1994, at 3 p.m.

Chairman: Mr. van WULFFTEN PALTHE (Netherlands)

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The meeting was called to order at 3.15 p.m.

STATEMENT BY MR. PAPANDREOU, DEPUTY MINISTER FOR FOREIGN AFFAIRS OF GREECE, ON BEHALF OF THE EUROPEAN UNION

1. Mr. PAPANDREOU (Greece) said that the promotion and protection of human rights, in their universality, constituted a cornerstone of European cooperation and an important aspect of the European Union's relations with other countries. The Union therefore welcomed the success of the World Conference on Human Rights and the reaffirmation by the Vienna Declaration and Programme of Action that all aspects of human rights were universal, indivisible, interdependent and closely linked, a reaffirmation that was very important.

2. The European Union recognized the important role that human rights and democracy played in achieving balanced and sustainable development. It therefore welcomed also the recognition by the World Conference on Human Rights of the right to development. Development facilitated respect for human rights; nevertheless, it must be emphasized that the lack of development could in no circumstances be invoked to justify the violation of internationally recognized human rights.

3. The European Union also welcomed the historic decision of the General Assembly to create the post of High Commissioner for Human Rights. That decision had come at the right moment. The High Commissioner had a vital role to play in the active promotion and protection of human rights and he would also be able to increase the effectiveness of legal instruments, mechanisms and structures that were already available to the international community. Moreover, the role of the Centre for Human Rights should be reinforced. The Centre could be effective only if it was provided with sufficient staff and resources. Despite the decision taken by the General Assembly to increase the resources of the Centre, further steps were needed in order to allow the Centre to keep pace with the increase in its workload.

4. Despite the positive changes that had taken place in recent years in the field of human rights, the overall situation still gave cause for concern. Human rights violations continued to occur and a number of situations had assumed new dimensions of horror. However, progress had been made in the Middle East peace process, in particular between Israel and the PLO, and the situation in South Africa had developed favourably. The European Union hoped that the Commission on Human Rights would continue to follow with interest the evolution of the human rights situation in those areas.

5. The European Union had decided to contribute even more directly to the democratization of many countries through very concrete measures, particularly in the fields of electoral assistance and the development of democratic institutions. In that regard, it had always attached great importance to the advisory services and technical assistance programme and would continue to pay particular attention to the Voluntary Fund for Technical Cooperation in the Field of Human Rights. In its opinion, the Voluntary Fund should develop efficient procedures and promote transparency in the preparation and implementation of assistance projects.

6. With regard to the situation in the former Yugoslavia, massive violations of human rights had been carried out by all sides without punishment of the perpetrators. Ethnic cleansing - for which the Serb authorities bore primary responsibility, even if the other parties to the conflict in Bosnia and Herzegovina had imitated them - was a flagrant example of unpunished crimes. The European Union thus welcomed the decision taken by the Security Council, in its resolution 827 (1993), to establish the International Tribunal in The Hague to try those alleged to have committed war crimes in the former Yugoslavia. The European Union also firmly supported Security Council resolution 780 (1992) and welcomed the work done by the United Nations Commission of Experts on war crimes in that region. It must be emphasized, however, that to date the belligerents had persistently ignored the sufferings of the civilian population.

7. The increasing participation of many political leaders in the work of the Commission and the growing interest of the media and public opinion in its activities were encouraging signs of the higher priority that the international community currently attached to the cause of human rights, to which human rights defenders and non-governmental organizations also made a valuable contribution.

8. The Commission on Human Rights relied in its work on a system of mechanisms - special rapporteurs, special representatives and working groups - established throughout the years which, in order to be able to function normally, had to rely on the cooperation of Governments. Through those mechanisms, the thematic rapporteurs and working groups, in particular, made an invaluable contribution.

9. The European Union hoped that the International Decade of the World's Indigenous People proclaimed by the United Nations would make it possible to focus more closely on the special and frequently tragic situation of those peoples. It was particularly concerned at the extreme nationalism, racism and xenophobia, associated with violence that had developed in many countries. It firmly condemned such extremism and would continue to strive to eradicate it.

10. Prevention of torture was one of the areas of primary interest to the Union. Concrete action with a view to providing assistance to victims of torture was more than ever one of its major priorities. The question of impunity was also very important. States should abrogate legislation that enabled those responsible for grave violations of human rights to benefit from impunity. The European Union also considered it essential to strengthen the rule of law and to promote freedom of expression, particularly since it was the effective participation of citizens in the decision-making process which helped to prevent human rights violations. It hoped that effective ways would be found to help countries to ensure the independence of the judicial system and the protection of judges and lawyers. The Union was also committed to promoting human rights education and public information in that area.

11. Lastly, discrimination against and violation of the rights of women were also a top priority for the Union. It was looking forward to the appointment of a special rapporteur on violence against women who would be able to promote their cause and defend their rights. The rights of children, particularly street children, must not be forgotten either. The European Union would

continue to pay the closest attention to the defence of their dignity and the protection of their lives, often endangered by the very States of which they were nationals.

12. The human being, as Protagoras had been the first to say, was the measure of all things. That was still true and could be the motto of the Commission on Human Rights which was a forum representing the collective conscience of humanity.

QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE (agenda item 4) (E/CN.4/1994/9, 12 and 13; A/48/96, 278 and 557)

13. Mr. BOECK (Austria) said that his Government had frequently expressed its concern at the steps taken by the Israeli authorities to change the legal status, geographical nature and demographic composition of the occupied territories and at the imposition of Israeli laws and an Israeli administration in the occupied Syrian Golan Heights; it had also constantly condemned Israel for its refusal to apply the Fourth Geneva Convention in the territories. It had deplored the deportation of Palestinians and the arrest or arbitrary imprisonment of all those who resisted the occupation. In that connection, it regretted that the work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories had been impeded by Israel's lack of cooperation. His Government was also deeply disturbed at the extent of torture and the arbitrary and summary executions committed in the occupied territories against Palestinians by fellow Palestinians for allegedly collaborating with the Israeli authorities. His delegation therefore urged the leaders of the Palestinian movement to take immediate steps to put an end to such practices. It was clear that such abuses and violations of human rights could not but constitute obstacles to the efforts being made to achieve a comprehensive, just and lasting peace in the Middle East, a peace that had been so long hoped for and which seemed closer than ever before.

14. The opening of the Madrid Conference in October 1991 had clearly marked the beginning of a new stage in that process which his Government had welcomed with enthusiasm, since dialogue was, in its opinion, the only means of finding a solution to the many problems of the Middle East, a solution which had to be based on the full implementation of Security Council resolutions 242 and 338 and the application of the "land for peace" principle. His Government welcomed in particular the signature, on 13 September 1993 in Washington, of the Israeli-Palestinian Declaration of Principles. The limited autonomy foreseen in the Declaration for the Gaza Strip and Jericho area was, of course, only a first step that only partly met the legitimate claims and aspirations of the Palestinian people but it did reflect the constructive approach adopted by all parties. It was to be hoped that further progress would be made in the context of the bilateral negotiations between Israel and Syria, on the one hand, Israel and Lebanon, on the other, and, after the conclusion of a framework agreement for peace, between Israel and Jordan, and that, in the near future, a series of similar agreements guaranteeing stability, prosperity and lasting peace in the entire region would be signed.

15. However, peace would really exist only when all those agreements had been effectively implemented in the field. Indeed, the peace process that had been undertaken was still fragile and might once again be interrupted by further outbreaks of violence. In that context, his delegation condemned the murder of innocent civilians by Palestinian extremists and Israeli settlers in the occupied territories. It urged both the Israeli security forces and the emerging Palestinian police force for Jericho and Gaza to do their utmost to restore the rule of law in the territories and the future autonomous areas. For its part, the international community should do everything possible to alleviate the suffering of the Palestinians who lived in the occupied territories in extremely difficult economic, social and humanitarian circumstances. In that regard, it should be recalled that, at the last pledging conference in Washington, Austria had committed itself to providing to the Palestinians assistance amounting to US$ 17 million over the next five years. Specific projects should be undertaken in the occupied territories, especially in the Gaza Strip and Jericho, to meet the urgent needs of the Palestinian population with respect to health and employment in particular and to alleviate tension and unrest. Austria was also participating fully in the multilateral peace negotiations because it was convinced that they constituted an important complement to the bilateral peace negotiations. It had taken an active part in the deliberations of all working groups and submitted concrete proposals for joint development and infrastructural projects in the region. Austria had also hosted the first meeting of the Working Group on Water Resources in 1992 and a seminar on confidence-building measures and long-term perspectives in October 1993.

16. His delegation sincerely hoped that the recent declaration by the parties concerned and their forthcoming meeting in Cairo would pave the way for a speedy implementation of the measures foreseen in the Declaration of Principles. At the same time, it called on all parties to respect the rule of international law and to undertake the necessary measures to stop all human rights violations.

17. Mr. LITTMAN (International Fellowship of Reconciliation - IFOR) said that the Declaration of Principles, signed by Israel and the PLO on 13 September 1993, and the Agreement between Israel and Jordan on the Common Agenda, signed on 14 September 1993, had opened up a wide range of new possibilities for peace in the Middle East. It was appropriate at that point to pay tribute to the memory of Mr. Johann Jurgen Holst, the Norwegian Minister for Foreign Affairs, whose devotion to the cause of peace and reconciliation in the Middle East deserved to be stressed. Despite the progress made, his organization continued to believe that placing the Gaza Strip under a United Nations mandate might prove to be the best solution, if problems arose in the current negotiations. It regretted, moreover, that the Commission had not paid appropriate attention to the peace process begun at Madrid in 1991 and expressed the hope that, during the current year, it would follow the example of the General Assembly which, in its resolution 48/58, had expressed the view that the United Nations could play a useful role by participating actively in the Middle East peace process and assisting in the implementation of the Declaration of Principles.

18. He also recalled that, in 1990, he had been the first to propose the idea of a confederation comprising Israel, Jordan, and the Palestinians, to be

integrated into a larger regional concept that would, perhaps, one day be called the "United States of Abraham", modelled on the "United States of Europe" referred to by Winston Churchill in his 1946 address at Zurich. IFOR's general position on the Middle East issue was set out clearly in an article published on 31 May 1993 in the magazine Al-Fajr at a crucial period in the negotiations, just before the holding of the Vienna Conference on Human Rights where it had been widely distributed. An updated version was available to all the members of the Commission. It should be stressed, however, that on 23 June 1993, i.e. 10 weeks before the Oslo breakthrough, Shimon Peres had proposed the establishment of an Israeli-Palestinian-Jordanian confederation and the expression "United States of Abraham" had recently been used in a long article published in a London daily by Martin Gilbert, Churchill's official biographer, who pointed out that the negotiations between Israel and the PLO brought closer to reality the idea of the creation, in the Middle East, of a confederation in which the Jewish State would form an integral part.

19. In view of recent events, namely the meeting of President Bill Clinton and Hafez al-Assad, the Syrian President, at Geneva, and that of Yassar Arafat and Shimon Perez at Davos, the time had perhaps come for King Hassan II of Morocco, as Commander of the Faithful, and King Hussein of Jordan to travel to Jerusalem to pray at the al-Aqsa Mosque and for Pope John Paul II, accompanied by Orthodox patriarchs and Protestant ministers, to make a pilgrimage to the Holy Sepulchre, at Easter time, in a symbolic gesture of reconciliation. It was to be hoped that those messengers of peace would bring more and more good tidings and that the Commission would take pragmatic and positive measures to help both parties along the difficult road towards reconciliation. That was the wish of his organization and its tens of thousands of members in 40 countries throughout the world.

20. Mr. CORDONE (Amnesty International) said he welcomed the signing by the Israeli Government and the Palestine Liberation Organization of a Declaration of Principles as a first step towards a peaceful settlement of the Palestinian question but regretted that the document made no mention of human rights although serious violations continued to occur in the Middle East. His organization would like to draw the Commission's attention to the fact that 10,000 Palestinians were still being held in Israeli prisons, of whom 140 were detained without charge or trial. It called for the immediate and unconditional release of those who were held solely for membership of Palestinian organizations or for other non-violent political offences, for a fair and prompt trial or release of all administrative detainees accused of violence and, lastly, for the retrial or release of political prisoners convicted of violent offences after unfair procedures, in particular all those who had been convicted by military courts before the introduction of the right of appeal in the occupied territories in 1989.

21. His organization was also concerned about the situation of 200 persons held in the Khiam detention centre, in an area of south Lebanon controlled by Israel and the South Lebanon Army (SLA), many of whom were believed to have been tortured during interrogation and to have no access to relatives or humanitarian organizations such as the International Committee of the Red Cross. Furthermore, in Israel, at least 20 Lebanese nationals taken

prisoner in Lebanon between 1986 and 1989, including Sheikh Abd al-Karim 'Ubayd, a Shiite Muslim leader, and six other Lebanese Shiites, were allegedly being held in detention for the sole purpose of exchanging them for information about four missing Israeli soldiers and several South Lebanon Army members. If that was the case, then they were hostages and should be released immediately and unconditionally. The same was true with regard to missing Israeli soldiers or South Lebanon Army members being held solely in order to obtain the release of detainees in Israel or Khiam. Amnesty International believed it essential to respect the rights of everyone - Lebanese or Israelis - taken prisoner or unaccounted for, regardless of any negotiations taking place in the region.

22. His organization also condemned all the extrajudicial executions which had been perpetrated by the Israeli forces during 1993 and had included even children. It called on the Israeli authorities to take the necessary steps to prevent such acts from occurring and to ensure that, when they occurred, they were promptly, thoroughly and impartially investigated, that those responsible were brought to justice and that the victims or their families received proper compensation. It hoped in that regard that, in the performance of their duties in the occupied territories, the Israeli authorities would respect the United Nations Code of Conduct for Law Enforcement Officials and all other relevant international standards. His organization also condemned the serious violations of human rights, including torture and arbitrary killings committed in 1993 by armed Palestinian groups, such as Fatah, the Islamic resistance movement (Hamas), the Islamic Jihad, the Popular Front for the Liberation of Palestine and the Democratic Front for the Liberation of Palestine, against Israeli civilians and also a number of Palestinians accused of collaborating with the Israeli authorities. It called on all Palestinian groups, whether they supported or opposed the current peace negotiations, to respect at all times the basic principles of humanitarian law. In that regard, it welcomed the undertaking given by the PLO through its Chairman, Yasser Arafat, to respect all internationally recognized human rights standards and to incorporate them into Palestinian legislation.

23. His organization believed that the work of the Special Rapporteur appointed by the Commission to study the human rights situation in the Palestinian Occupied Territories would benefit greatly from a review of the actions taken by all other existing United Nations bodies concerned with the question. In that context, particular attention should be given to the human rights monitoring function currently performed by UNRWA officials, whose reports should be made public. In addition, human rights on-site monitors in the occupied territories should report directly to the relevant human rights mechanisms and their mandate should be expanded to cover the actions of all officials with law enforcement duties. The international community had the potential to help all the parties in the Arab-Israeli conflict to ensure respect for human rights during the search for a just peace, and his organization hoped that such potential would be fully exploited in the coming difficult months.

24. Mrs. MANN (World Organisation against Torture) said she welcomed the historic agreement, signed on 13 September 1993, in Washington, by the protagonists in the conflict involving Israel and the occupied territories. However, the euphoria had soon dwindled since it was clear that the

implementation of the agreement, scheduled to commence on 13 December 1993, had been suspended. Furthermore, her Organization could not ignore the fact that thousands of persons in the region were victims of serious human rights violations on a daily basis. If the parties to the peace process and the international community did not take account of the situation in the region in that regard, it might lead to the failure of the fragile peace process.

25. The situation of political prisoners, in particular, gave cause for particular concern. Despite the release of 700 political prisoners during the past year, there were still some 12,000 in prisons and detention centres. They were held in appalling conditions, without adequate food or clothing; they were denied access to their lawyers and families and many suffered from medical problems which were systematically neglected by the prison authorities. Lastly, the approval by the Landau Commission of the use of "moderate physical pressure" by the security forces meant that many political prisoners were subjected to torture or to cruel, inhuman or degrading treatment, in direct contravention of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to which Israel had acceded in 1991. In addition, it was estimated that nearly 15,000 persons had been subjected to six-month administrative detention, which could be indefinitely renewed. Her Organization hoped that the Commission would call on the Israeli Government, in keeping with the spirit of the 13 September agreement, to release all political prisoners or at least to respect their right to a fair and impartial trial.

26. Furthermore, other serious human rights violations were still being committed in the occupied territories, since it was estimated that, from the beginning of the intifada to the end of 1993, 1,240 persons had been executed in an arbitrary or summary manner by members of the Israeli military. The latter also continued to make excessive use of force and, according to estimates, 120,000 persons had been injured, many homes had been destroyed and vast areas of land had been confiscated to make room for Israeli settlers.

27. The forcible settlement of Israeli nationals in contravention of article 49 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, which stipulated that "The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies", was one of the fundamental causes of human rights violations in the occupied territories. The failure of the Government of Israel to recognize the Geneva Conventions and its systematic policy of settlement constituted serious obstacles to the establishment of a lasting peace in the region. Her Organization therefore called on the Israeli authorities to respect the Geneva Conventions and to find a lasting solution to the problem of Israeli settlers in the occupied territories.

28. For the future, the semi-autonomous status of those territories might give rise to other problems: if the Palestinians assumed certain limited administrative, legislative and executive functions of a State, the occupied territories would not achieve an independent nation status and therefore could not be bound by the international human rights conventions, at least for the foreseeable future. Israel, which would remain the occupying Power, would therefore still be bound to respect its obligations towards the populations concerned. The partial withdrawal of Israeli troops and the transfer of

limited powers to the Palestinian authorities must not be permitted to result in an increase on the part of Palestinian groups - paramilitary or otherwise - of repressive violence against other Palestinians or against the settlers. International humanitarian law must be respected by all and the international community had to remain vigilant in that regard. A first step in that direction would be the recognition and implementation by the State of Israel of the Geneva Conventions and the other international instruments to which it had acceded.

29. The inextricable link between human rights and peace had been amply demonstrated throughout history. If a lasting peace was to be established in the Middle East, all the parties to the peace process and the international community as a whole had to ensure that human rights and fundamental freedoms were respected at all times in the occupied territories, in accordance with international standards and the Geneva Conventions. It was incumbent on the Commission to encourage all parties to support the peace process.

30. Mr. CUNNIAH (International Confederation of Free Trade Unions), said that his organization, which represented 174 national trade union centres in 124 countries, with a total membership of 116 million workers, reaffirmed its support for the peace negotiations in the Middle East, negotiations which should also be supported by the international community. With the signing on 13 September 1993 of a Declaration of Principles by Israel and the PLO, the basis for an agreement had been set and there were encouraging signs of progress towards a satisfactory settlement on the remaining points of contention (control of border crossings, size of the Jericho area, and protection of Israeli settlers). At the economic level also, special efforts must be made to promote investment in the region and to improve the lot of the Palestinian population. Consideration might be given to adopting a major international programme of assistance for the Palestinians, particularly those in the Gaza Strip and the town of Jericho.

31. With a view to establishing a climate of confidence between Israelis and Palestinians, the Histadrut (General Federation of Labour in Israel) had met the leaders of Palestinian unions on several occasions in 1993 and the two parties had decided to set up a joint working party to formulate areas of cooperation, including workers' education courses and Palestinian workers' rights in Israel. His organization fully supported that undertaking.

32. From 17 to 21 January 1994, a delegation of the Confederation had visited the occupied Arab territories in order to express its solidarity with the Palestinian workers and to identify areas where assistance was required. It was essential to deal urgently with the tragic situation of thousands of refugees, otherwise that situation would give rise to extremism which could wreck the peace process. In his organization's view, the emerging independent and democratic Palestinian trade unions could promote a rapid reconstruction of the territories by helping to preserve democracy, human rights and trade union rights, particularly during the current period of transition towards self-government, within the framework of dialogue and cooperation between the social partners at all levels. In conclusion, he said that his organization urged the Commission to call on the two parties involved in the peace negotiations to commit themselves to respecting international human rights standards.

33. The CHAIRMAN invited those delegations that wished to exercise their right of reply to take the floor.

34. Mr. ABDULLAH (India), speaking in exercise of the right of reply, said that, at the previous meeting, Mrs. Benazir Bhutto, the Prime Minister of Pakistan, had spoken at length concerning freedom. Yet, her country occupied one third of the territory of the Indian State of Jammu and Kashmir, which it had placed under an administration at the orders of Islamabad. That was what Pakistan called freedom. With regard to the question of human rights violations, also mentioned by Mrs. Bhutto, it was nevertheless important to remember that, in Pakistan, the Ahmadi Muslims were persecuted and forced to seek refuge abroad, in the same way as the Shiites and other minorities. Whereas the Muslim population of India, the largest in the world after Indonesia, had gradually increased from 12 to 118 million persons, the total number of minorities in Pakistan barely exceeded a few million.

35. With specific regard to the State of Jammu and Kashmir - of which he himself had been Prime Minister before the onset of the disturbances - it was an undeniable fact that Pakistan had trained and armed young men from that territory, who had then attacked schools, hospitals and homes. It was difficult to see how Pakistan could state that it had not broken the peace in Kashmir when it was endeavouring to acquire that territory by force even by waging war, as it had already done on three occasions. After initially denying that it possessed nuclear weapons, Pakistan was currently stating that it was able to apply nuclear technology in the interests of the population. It was to be hoped that God would preserve the unfortunate "beneficiaries" of such innovations. For its part, India was prepared to negotiate in dignity and honour, but certainly not under the threat of the bomb.

36. Pakistan referred to United Nations resolutions but the question that arose was who was to blame for their non-implementation. Those resolutions stated that the Pakistani troops must leave Kashmir as must all the terrorist groups that were there. Although Pakistan had signed solemn agreements and stated that the problem had to be resolved by bilateral negotiations and without the need to bring it before international bodies, it brought the question of Kashmir up in all those bodies. India hoped nevertheless that, by the end of the current year, peace would be restored in that erstwhile flourishing State whose economy was currently in ruins. It therefore intended to continue its efforts to ensure the success of the negotiations and the development of Jammu and Kashmir. Pakistan would get nowhere by perpetuating its abuses and persisting in its lies.

37. Mr. AKHUND (Pakistan), speaking in exercise of the right of reply, noted that, instead of replying to the questions put by Mrs. Bhutto at the previous meeting, the representative of India had preferred to resort to the well-known tactic of the pot calling the kettle black. With regard to human rights, he acknowledged that there had been some cases of abuse in Pakistan because of the troubled history of the country and its poverty. His Government was conscious of the fact that some laws needed to be reviewed and it was endeavouring, simultaneously, to improve citizen's information concerning their rights and how to exercise them. However, the abuses alleged were to be found in other countries also, India being no exception. With regard to the statement that Pakistan supported terrorism in Kashmir, it was

clear from a report prepared by independent organizations, such as Amnesty International, that human rights in that territory were grossly and systematically violated with the approval of the Indian authorities. Whenever they were challenged on that subject, those authorities said that they were sorry and expressed their intention to punish the guilty persons. However, the guilty persons were those who permitted such machinations, particularly within the framework of Draconian laws which, for four years, had enabled the Indian security forces to do whatever they wished.

38. Mrs. Bhutto had proposed once again that the United Nations should appoint some impartial observers who would visit Kashmir in order to observe the situation there. His Government was prepared to receive such a fact-finding mission, but wondered why India refused to do so, while blaming Pakistan. Far from being an integral part of India, as the latter claimed, Kashmir was in fact a territory occupied by that country. In 1948, India had undertaken to hold a referendum on the question of Kashmir's accession to self-determination, in accordance with the principle of self-determination set forth in the Charter of the United Nations. However, the solemn commitments entered into at that time, commitments which concerned 10 million persons, had remained a dead letter.

39. In conclusion, his delegation wished to remind the Commission and the delegation of India of the proposals made at the previous meeting by the Prime Minister of Pakistan, who had invited the Indian Government to put an end to the repression in Kashmir, withdraw its troops, release the detainees and negotiate with a view to achieving a satisfactory agreement.

40. Mr. ABDULLAH (India), speaking in exercise of the right of reply, noted that the representative of Pakistan had said nothing about freedom in its part of Kashmir. It should be remembered that, when the two dominions of India and Pakistan had been formed, the United Kingdom Government had accepted the principle of a Hindu king for Kashmir, the population was being consulted to determine which dominion it wished to choose. The Pakistani authorities had therefore been perfectly aware of the fact that Sheikh Abdullah would never reign, and it was surprising that they had waited until 1989-1990 to raise the question.

41. Although Pakistan denied any involvement in terrorist activities in Jammu and Kashmir in 1957 and in 1965, such involvement had been confirmed by senior Pakistani officials themselves. It was also clear from the report of a working group of the United States House of Representatives on terrorism and conventional warfare that, in the insurrection in Indian Kashmir, Pakistan's support was decisive. A total of 20,000 young Kashmiris had been trained and armed by that country.

42. The dispatch of a fact-finding mission to Jammu and Kashmir was not justified, since everyone could visit it freely, just like all the other parts of India. In 1993 alone, more than 100 foreign journalists and tens of thousands of tourists had visited Jammu and Kashmir. It was therefore sufficient to put an end to the terrorism forthwith and to talk about peace.

43. Mr. AKHUND (Pakistan), speaking in exercise of the right of reply, said that there was no point in reverting to the accession to the throne and the reign of Sheikh Abdullah (who, incidently, had been imprisoned for 15 years in India), a matter which belonged to the past. On the other hand, it was necessary to recall the resolutions that had since been adopted on the question by the United Nations. Nor was there any reason for Pakistan to talk about Azad Kashmir (Pakistani), since everyone could visit it freely. However, with regard to Jammu and Kashmir, the proposed fact-finding mission was in no way superfluous. Indeed, although the representative of India had stated that it was possible freely to visit the part of Kashmir controlled by his country, the International Commission of Jurists had been refused access to the prisons there and to the Srinagar Bar. That was the reality which the Commission should take into account.

The meeting rose at 5 p.m.